



JC10 Rec'd PCT/PTO 05 MAY 2005 #17
PATENT APPLICATION

UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Shinji KAWATA et al.

Attn: Mail Stop Missing Parts

Application No.: 10/500,925

Filed: July 27, 2004

Docket No.: 120307

For: INSECTICIDE CONTAINING HYDRAZONE DERIVATIVE AS ACTIVE
INGREDIENT AND NOVEL HYDRAZONE DERIVATIVE

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Defective Response-(copy attached) mailed on April 6, 2005, please consider the following remarks.

The Notification of Defective Response indicated that the Response to Notification of Missing Requirements, filed on March 10, 2005, was defective. The Notification indicates that the Oath or declaration filed on July 27, 2004, does not comply with 37 CFR 1.497(a) and (b) because the fifth inventor is identified as applicant only, not inventor. Applicants understand the Notification to mean that the fifth inventor, Mr. Akiyuki Suwa, was indicated in the original PCT Application (on the PCT Request) as an Applicant only for all designated states except the United States, and therefore was not indicated as an inventor for purposes of the U.S. designation. However, in the Declaration filed on July 27, 2004, Mr. Suwa is indicated as an inventor.

Applicants respectfully submit that the status of Mr. Suwa was changed during pendency of the PCT Application. In particular, attached is a copy of the Form PCT/IB/306, Notification of the Recording of a Change, indicating that the status of Mr. Suwa was changed from Applicant for all designated states except the U.S., to applicant for U.S. and inventor for all designated states. Accordingly, Mr. Suwa was properly indicated as an inventor for the U.S. Designation.

Accordingly, applicants respectfully submit that the Declaration filed on July 27, 2004, satisfies all of the requirements of 37 CFR 1.497.

Applicants further respectfully submit that no fees should be due for submission of this Response. However, should any fees be necessary to ensure proper entry and consideration of this Response, please charge such fees to Deposit Account No. 15-0461. Two additional copies of this Response are attached.

Should there be any questions regarding this Response, the Patent Office is requested to telephone Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Thomas J. Pardini
Registration No. 30,411

JAO:TJP/crh

Date: May 5, 2005

Attachments:

Copy of Notification of Defective Response
Copy of Notification of the Recording of a Change

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
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PCT

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/500,925	FIRST NAMED APPLICANT Shinji Kawata	ATTY. DOCKET NO. 120307
25944 OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320		INTERNATIONAL APPLICATION NO. PCT/JP03/00152
<div style="border: 1px solid black; padding: 5px; text-align: center;">RECEIVED APR 08 2005 OLIFF & BERRIDGE</div>		I.A. FILING DATE 01/10/2003
		PRIORITY DATE 01/10/2002

CONFIRMATION NO. 8941

371 FORMALITIES LETTER



OC000000015660155

Date Mailed: 04/06/2005

DUE DATE

NOTIFICATION OF DEFECTIVE RESPONSE

MAY 06 2005

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 07/08/2004
- English Translation of the IA filed on 07/08/2004
- Copy of the International Search Report filed on 07/08/2004
- Copy of IPE Report filed on 07/08/2004
- English Translation of IPE Report filed on 07/08/2004
- Preliminary Amendments filed on 07/08/2004
- Oath or Declaration filed on 03/10/2005
- Request for Immediate Examination filed on 07/08/2004
- U.S. Basic National Fees filed on 07/08/2004
- Priority Documents filed on 07/08/2004

DOCKETED
By Jmm on 4/8 2005
and
By shhm on 4/8 2005
Oliff & Berridge

Applicant's response filed 03/10/2005 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 01/10/2005 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - The fifth inventor is identified as applicant only, not inventor.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/500,925	PCT/JP03/00152	120307

FORM PCT/DO/EO/916 (371 Formalities Notice)